

To:	David Andrews (Chairman)	Valerie Metcalfe
	Chris Kennedy (Vice Chairman)	Gordon Nicholson
	John Bevan	Paul Osborn
	Christine Hamilton	Mary Sartin
	Denise Jones	Syd Stavrou
	Heather Johnson	

A meeting of the **REGENERATION AND PLANNING COMMITTEE** (Quorum – 3)
will be held at Myddelton House on:

THURSDAY 27 FEBRUARY 2020 AT 12.00noon

at which the following business will be transacted:

AGENDA

Part I

1 To receive apologies for absence

2 **DECLARATION OF INTERESTS**

Members are asked to consider whether or not they have disclosable pecuniary, other pecuniary or non-pecuniary interests in any item on this Agenda. Other pecuniary and non-pecuniary interests are a matter of judgement for each Member. (Declarations may also be made during the meeting if necessary.)

3 **MINUTES OF LAST MEETING**

To approve the Minutes of the meeting held on 23 January 2020
(copy herewith)

4 **PUBLIC SPEAKING**

To receive any representations from members of the public or representative of an organisation on an issue which is on the agenda of the meeting. Subject to the Chairman's discretion a total of 20 minutes will be allowed for public speaking and the presentation of petitions at each meeting.

5 **BROXBOURNE LOCAL PLAN
MAIN MODIFICATIONS CONSULTATION**

Paper RP/37/20

Presented by Claire Martin, Policy Officer

**6 PLANNING CONSULTATION BY
LONDON LEGACY DEVELOPMENT CORPORATION
QUEEN ELIZABETH OLYMPIC PARK,
STRATFORD, LONDON, E20 2ST
LEGACY COMMUNITIES SCHEME BIODIVERSITY
ACTION PLAN 2019 – 2024 SUBMITTED
PURSUANT TO SCHEDULE 10 OF THE
LEGACY COMMUNITIES SECTION 106 AGREEMENT**

Paper RP/38/20

Presented by Claire Martin, Policy Officer

- 7 Such other business as in the opinion of the Chairman of the meeting is of sufficient urgency by reason of special circumstances to warrant consideration.**
- 8 Consider passing a resolution based on the principles of Section 100A(4) of the Local Government Act 1972, excluding the public and press from the meeting for the items of business listed on Part II of the Agenda, on the grounds that they involve the likely disclosure of exempt information as defined in those sections of Part I of Schedule 12A of the Act specified beneath each item. (There are no items currently listed for consideration in Part II.)**

19 February 2020

**Shaun Dawson
Chief Executive**

LEE VALLEY REGIONAL PARK AUTHORITY

REGENERATION & PLANNING COMMITTEE MINUTES 23 JANUARY 2020

Members Present: David Andrews (Chairman) Heather Johnson
Chris Kennedy (Vice Chairman) Valerie Metcalfe
John Bevan Gordon Nicholson
Christine Hamilton Mary Sartin
Denise Jones Steven Heather (Deputy for Syd Stavrou)

Apologies Received From: Paul Osborn, Syd Stavrou

In Attendance: Derrick Ashley

Officers Present: Beryl Foster - Director of Corporate Services
Claire Martin - Policy Officer
Sandra Bertschin - Committee & Members' Services Manager
Melissa Sweetland - Committee & Members' Services Officer

Part I

80 DECLARATIONS OF INTEREST

Name	Agenda Item No.	Nature of Interest	
Chris Kennedy	6	Partner employed by London Legacy Development Corporation	<i>Non-Pecuniary</i>
Mary Sartin	5	Member of Epping Forest District Council Area Planning Sub Committee West	<i>Non-Pecuniary</i>
Steven Heather	5	Member of Epping Forest District Council Area Planning Sub Committee West	<i>Non-Pecuniary</i>

81 MINUTES OF LAST MEETING

THAT the Minutes of the Regeneration & Planning Committee meeting held on 19 September 2019 be approved and signed.

82 PUBLIC SPEAKING

No requests from the public to speak or present petitions had been received for this meeting.

83 PLANNING CONSULTATION BY EPPING FOREST DISTRICT COUNCIL – FORMER HAULAGE YARD, SEWARDSTONE ROAD, WALTHAM ABBEY, ESSEX. Paper RP/35/20
OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS, FOR THE DEMOLITION OF EXISTING BUILDINGS (EXCLUDING SEWARDSTONE HALL) AND THE ERECTION OF UP TO 40 DWELLINGS

The report was introduced by the Policy Officer.

Member comments included:

- the need to identify ownership of the east west access path;
 - the need for further ecological and biodiversity surveys to be undertaken;
 - concern that the proposed development would highlight the existence of the east west access path which could lead to anti-social behaviour from quad bikes etc;
 - the need for entry points from the proposed development onto the east west access path to be accessible only to pedestrians and cyclists by the use of lockable bollards or gates;
 - lighting of the east west access path should be at a low level to maintain the area as a dark corridor for wildlife;
 - any lighting of the east west access path should be the responsibility of the developer not part of the contribution to the Authority;
 - drone aerial surveys of the eastern boundary of the Regional Park would have been helpful;
 - that the recommendation narrative 'the Authority would wish to be consulted on these matters in due course' to be strengthened and moved to recommendation 3(d).
- (1) that Epping Forest District Council be informed that whilst the Authority does not object to this outline application, up to date ecological surveys are still outstanding including surveys for bat, badger, reptile, otter and water vole, all species that have been recorded within the vicinity of the site, and these surveys are required in advance of further consideration by the local planning authority;**
- (2) the Council should consult the Authority on the revised ecological surveys;**
- (3) in the event that the surveys are adequately undertaken and do not identify any adverse impacts which cannot be mitigated then conditions should be included in any decision granted to address the following:**
- (a) a detailed landscape scheme for the proposed open space and boundaries of the 'developed' areas to help limit the impact of new development on the 'openness' of the Regional Park;**
 - (b) details of proposed lighting for the development and access routes to ensure the impact on wildlife from light pollution is minimised; and**
 - (c) direction signage to the Regional Park is included in the new junction design to promote access into the Park;**
 - (d) the Council should consult with the Authority on these matters in due course.**
- (4) If the Council is minded to approve the planning application, the planning obligation should allow £88,000 for improvements to nearby parts of the Park to account for the additional usage which would occur from the additional residents living at the site. An indicative list of measures is included at Appendix C to paper RP/35/20, was approved.**

For information it should be noted that officers would welcome the opportunity to discuss with the Council detail of the proposed improvements to the Regional Park. The Authority has no proposals to light the east west access path.

Derrick Ashley left the meeting.

PLANNING CONSULTATION BY LONDON LEGACY DEVELOPMENT CORPORATION – IMPERIAL PHASE 3, LAND AT IMPERIAL STREET, BROMLEY-BY-BOW, LONDON, E3 3ED
FULL APPLICATION FOR CONSTRUCTION OF A RESIDENTIAL LED MIXED USE DEVELOPMENT COMPRISING A SERIES OF BUILDINGS FROM THREE TO FOURTEEN STOREYS PROVIDING 321 RESIDENTIAL UNITS, APPROX 306sqm OF FLEXIBLE COMMERCIAL AND RETAIL FLOORSPACE AND ALL ASSOCIATED INFRASTRUCTURE, ACCESS, HARD AND SOFT LANDSCAPING (INCLUDING REPLACEMENT OF ADJACENT RIVER WALL)

The report was introduced by the Policy Officer.

Member comments included:

- connectivity to the railway could be improved by for example a cantilever pathway;
- the need for the proposed scheme to 'design out crime';
- to request s106 monies for improvements to open space and existing play provision at Three Mills Green given increased usage that will occur from additional residents living adjacent;
- amend recommendation c) from "at night" to "over night".

- (1) **that the London Legacy Development Corporation be informed that whilst the Authority does not object to the current application it considers that:**
 - (a) **further ecological survey work should be undertaken for protected species to assess the extent of bat activity in relation to the Lee Valley Site of Metropolitan Importance for Nature Conservation and the proposed development, and use of the site by Black Redstart, including during the construction phases of development;**
 - (b) **a condition should be included in any consent granted to ensure a detailed lighting strategy is produced, based on the additional ecological survey and in accordance with guidance provided by the Institution of Lighting Professionals (2018), Bats and artificial lighting in the UK (Guidance Note 08/18);**
 - (c) **in any event lighting provision within the Riverside Park immediately adjacent to the water should be turned off over night to protect the ecology and wildlife role of the Lee Valley Site of Metropolitan Importance for Nature Conservation and that;**
 - (d) **other biodiversity features should be included such as an artificial Otter holt and the creation of nesting holes in the river wall to target Kingfisher and Sand Martin; and**
- (2) **the Council should consult with the Authority on the revised ecological surveys and lighting strategy; and**
- (3) **if the London Legacy Development Corporation is minded to approve the planning application, the planning obligation should allow for a contribution of £10,000 for improvements to open space and existing play provision at Three Mills Green to account for the additional usage that will occur from the additional residents living at the site adjacent was approved.**

Members also queried whether options had been considered to create a pedestrian and cycle route through to the south of the railway – continuing the green link south from Imperial Phase 3 alongside the river; this might take the form of, for example, a floating towpath or boardwalk under the railway bridge.

Chairman

Date

The meeting started at 12.20pm and ended at 1.07pm

LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION AND PLANNING
COMMITTEE**

27 FEBRUARY 2020 AT 12:00noon

Agenda Item No:

5

Report No:

RP/37/20

**BROXBOURNE LOCAL PLAN
MAIN MODIFICATIONS CONSULTATION**

Presented by the Policy Officer

SUMMARY

Broxbourne Borough Council is consulting on main modifications to the draft Local Plan 2018 – 2033, identified as part of the examination process. These modifications are necessary to ensure that the Local Plan is 'sound'.

The Authority has responded to each consultation stage in the preparation of the Local Plan and officers from both the Borough Council and the Authority have met regularly to discuss key sites and issues of concern. Most of the issues have been resolved either prior to or during the examination process.

One objection remains however, in respect of the Borough's draft policy GT1 which seeks the allocation of a Gypsy and Traveller site on part of the Wharf Road site. The modifications proposed have not identified a solution compatible with the Authority's adopted proposals for this area of the Park, nor do they address the Authority's concerns about the deliverability of this proposal, or the ongoing problem of trespass and infringement that is associated with the existing uses. A further representation on this matter is proposed.

Modifications to policies LV3 Broxbourne Leisure Pool site and LV4 Spitalbrook whilst not the best outcome for the Authority are nonetheless in line with national Green Belt policy. Joint working between the Borough Council and the Authority has already been initiated with the aim to produce an Area Action Plan and review options for development and land use for this part of the Park including Broxbourne Station and its environs.

The letter attached at Appendix A to this report sets out the Authority's response to the Main Modifications. This is being sent as a draft officer level response to meet the Local Plan consultation deadline of 19 February.

RECOMMENDATION

- Members Approve:
- (1) the comments as set out in Appendix A to this report as the Authority's formal response to the consultation by Broxbourne Borough Council on the Main Modifications to the draft Local Plan.

BACKGROUND

- 1 Broxbourne Borough Council is consulting on the Main Modifications to its submission draft Local Plan 2018 – 2033. This follows the examination hearings which took place during Autumn 2018 and June 2019. The Inspectors note published December 2019 considers that the Council's latest schedule of proposed main modifications, along with the Council's proposed changes to the Policies Map and updated sustainability appraisal and Habitats Regulations Assessment, should be published for consultation.
- 2 These modifications, identified as part of the examination process are necessary to ensure the Local Plan is 'sound', although the Inspectors final report on the Local Plan will only be made following consideration of all representations made about the main modifications, in addition to all of the evidence and representations that have been presented.
- 3 This consultation is only about the main modifications to the Local Plan and policies map. Other matters are outside the scope of the consultation. A schedule of minor modifications has also been issued but these will not materially affect the Plan's policies and proposals and will not be considered by the Inspector.
- 4 The Authority has responded in detail to the Regulation 18 and 19 iterations of the Local Plan (papers ULV/113/16 and RP/09/17 respectively) and officers from both the Borough Council and the Authority have met regularly under the Duty to Co-operate process to discuss key issues and consider how the Local Plan might best support the Authority's ambitions. Throughout these discussions one matter relating to the allocation of a Gypsy Traveller site at Wharf Road and within the Regional Park has remained unresolved. This was discussed at the Regeneration and Planning Committee on 22 February 2018 (paper RP/16/18).
- 5 During the Local Plan process the Authority finalised and adopted the Park Development Framework (PDF) Area Proposals for all of the Regional Park that lies within Broxbourne: Areas 6 'The River Lee Country Park'; 7 'The Wetland Park: Spitalbrook to Roydon'; and 8 'The Upper Valley: Rye Meads to Ware', together with Strategic Landscape Guidelines and a set of Strategic Planning Policies.
- 6 Over 10% (429ha) of the Park lies within the Borough of Broxbourne; this includes key sites and visitor attractions including Lee Valley White Water Centre, part of the River Lee Country Park, Turnford and Cheshunt Site of Special Scientific Interest (SSSI), Silvermeade, the former site of the Leisure Pool, Broxbourne Old Mill and Meadows and Spitalbrook. Please refer to the Plan at Appendix B to this report which shows the area of the Park within Broxbourne.
- 7 Following consideration of the Pre-Submission Regulation 19 version of the Local Plan the Authority's representations in relation to the examination process focused on the following matters set out below. Officers submitted written statements and attended the examination hearings in respect of these matters.

1) Policy LV3 Broxbourne Leisure Pool Site

The Authority supported the amendments to Policy LV3 Broxbourne Leisure Pool Site. The revised text prior to examination clarified that the Council and the Authority *"will update the Broxbourne Leisure Pool development brief to include the potential for residential development to the western end of the site to enable*

the wider development and improvement of the site and preservation of the existing parkland and natural areas".

It was noted that supporting text for Policy BX2 Broxbourne Station and Environs made reference to the Leisure Pool site and Spitalbrook. It was suggested that this text should also indicate how the relationship and timing of 'the long term development plan for Broxbourne Station and environs' (as supported by Policy BX2) will relate to work on updating the development brief for the Leisure Pool site.

2) Policy LV4 Spitalbrook

The Authority also supported the amendments made to Policy LV4 Spitalbrook in response to its previous comments. This had been expanded to make reference to the need for environmental improvements and habitat restoration, improved public access and leisure and recreational facilities including a visitor hub. However, the Authority also sought additional policy reference to some enabling development to support these improvements.

3) Policy CH1 Cheshunt Lakeside (Delamare Road)

Whilst supporting the changes made to the policy the Authority sought additional wording to strengthen both the policy and the delivery of mitigation. This matter was overtaken by events to some extent, with the approval of outline planning for the Cheshunt Lakeside development in August 2019, including provision of section 106 monies to help deliver improvements to visitor infrastructure within the River Lee Country Park and mitigating the effect of the development on the qualifying interests of the Lee Valley Special Protection Area (SPA).

4) Policy GT1 Gypsy and Traveller Sites and supporting text for Wharf Road

The Authority raised significant concerns about the Council's proposals to establish a permanent gypsy and traveller site at Wharf Road under Policy GT1 and considered the proposal to be 'unsound'.

Whilst recognising that the Council's suggested proposals represented a 'planned' way forward it was considered in practice, to be unworkable, given that the consolidation of the plots does not comply with the Authority's statutory purpose. Further, implementation would depend on many individuals within the Traveller community, who are private landowners of the various plots of land, and whose commitment for understandable personal reasons may change. It would appear from the Council that only 'limited resources' would be available and the Authority has no resources budgeted for this. Finally, it could lead to additional pressures from the Cross Rail 2 proposals which could further erode the character of the Regional Park in this location.

Following further detailed discussion of this matter at the Regeneration and Planning Committee in February 2018 (paper RP/16/18), to take account of additional discussions between officers of the Borough Council and the Authority, Members agreed to continue with an objection to Broxbourne Borough Council on its inclusion of part of Wharf Road as a Gypsy and Traveller site in its Local Plan.

5) Policy H9 Residential Moorings

The Authority endorsed the revised Policy H7 Residential Moorings and a short statement was submitted to support this position as part of the examination process. Now renumbered Policy H9 'Permanent Residential Moorings' the policy states that applications for permanent residential moorings within the Lee

Valley Regional Park will be resisted.

HABITAT REGULATIONS ASSESSMENT

- 8 A Habitats Regulations Assessment Addendum has been produced – this has reviewed the Main Modifications in terms of any Likely Significant Effects on the Lee Valley SPA and Ramsar in terms of public access and disturbance issues, and also at Epping Forest in terms of air quality and recreational disturbance issues.
- 9 Given the commitment to mitigation set out in revised Policies CH1 Cheshunt Lakeside and BE2 Wildlife Sites which has also been strengthened, it is not considered that there will be an adverse impact on the integrity of the Lee Valley SPA and Ramsar as a result of the Main Modifications either alone or in combination. Policy BE2 Wildlife sites is reproduced at Appendix C to this report for information.

MAIN MODIFICATIONS AND OUTCOME OF EXAMINATION PROCESS

- 10 There are two main areas of policy change for consideration following the outcome of the examination process and the issuing of the Main Modifications to the draft Local Plan. These concern the policy for the Broxbourne Leisure Pool Site and Spitalbrook, and the Gypsy and Traveller policy in relation to the Wharf Road site. It should be noted that representations can only be made in relation to the proposed Main Modifications.
- 11 **Broxbourne Leisure Pool and Spitalbrook**
Prior to the examination process both Policy LV3 'Broxbourne Leisure Pool Site' and Policy LV4 'Spitalbrook' were supported by the Authority. The changes agreed with the Council clarified the position regarding enabling development and the need for environmental improvements.
- 12 The Inspector however, raised concerns about inappropriate development within the Green Belt and the proposals within the Plan, including Policies LV3 and LV4, that identified development on land within the Green Belt. The Inspector considered that these proposals would be likely to involve new buildings that would represent inappropriate development in the Green Belt. This would be contrary to national policies relating to Green Belts and the plan-led system, and would be unlikely to be effective, requiring the need to demonstrate very special circumstances at the planning application stage.
- 13 Both the Council and the Authority provided additional statements to address these points and justify the position taken for enabling development within the Green Belt but following discussions at the hearing session the Inspector directed the Council to prepare main modifications to policies LV3 ("Broxbourne Leisure Pool Site") and LV4 ("Spitalbrook") to "ensure that they are consistent with national policy relating to development in the Green Belt and effective" (Action point 8 and Main Modifications MM 13.2 and MM 13.4 respectively).
- 14 The revised policy and supporting text is included as Appendix C to this report. It is unlikely that a further challenge to the Inspector's position regarding development within the Green Belt would be successful, given the various arguments already explored during the examination process to justify the need for a policy reference to enabling development at the Leisure Pool site and Spitalbrook by both the Authority and the Council. As it stands any development proposals for the former Leisure Pool and Spitalbrook sites would have to be

justified under the 'very special circumstances' argument given the Green Belt location at the planning application stage. There may also be opportunities in the longer term in relation to Crossrail 2 and redevelopment of Broxbourne Station.

- 15 Given this situation officers of the Authority and the Borough Council are working on an area action plan encompassing both the Leisure Pool site and Spitalbrook to review options for development and land use. There is general agreement that Broxbourne and the Authority need to work together to develop a project plan for this site which would enable at least part of the area to be opened up to the public. Importantly the area action plan also includes the Broxbourne Station and its environs in line with Policy BX2 and brings into consideration Crossrail 2. Please see Appendix D to this report for the indicative plan area. Supporting text under this policy refers to enabling development to assist with bringing the Leisure Pool back into use for Park purposes.

- 16 The above joint working will assist in the delivery of PDF Area Proposals; first for the former Leisure Pool site, which under 6.A.4 sub section 5. 'Broxbourne Gateway and Visitor Hub River Lee Country Park North' seek to establish a major visitor hub as a primary gateway into the Park by:

"joint working with Broxbourne Council to update the Leisure Pool Development Brief to include the potential for residential development to enable the wider development and improvement of the site".

- 17 Secondly under 7.A.1 'Wetland Park West, Spitalbrook, Dobbs Weir and Admiral's Walk Lake', proposals recognise the need to open up Spitalbrook for a range of informal recreational activity and to:

"Work with Broxbourne Council and other stakeholders to restore, manage and protect habitats at Spitalbrook as a site of special biodiversity interest with visitor access. This could be delivered through enabling development on the site linked with the opportunities which Crossrail2 could realise. Any enabling development to integrate with and secure investment in the parklands and respect the sites unique biodiversity."

No further action is therefore proposed in relation to these modifications to the Local Plan.

18 Policy GT1 Gypsy and Traveller sites and Wharf Road

As part of the proposed Main Modifications the Council have retained a policy allocation for an authorised Gypsy and Traveller site at Wharf Road under Policy GT1 'Gypsy and Traveller sites'. All the allocated sites including Wharf Road have been removed from the Green Belt to enable the effective implementation of the GT1 policy and to be consistent with the national Planning Policy for Traveller Sites (Policy E: Traveller Sites in Green Belt).

- 19 This is a long standing issue between the Council and the Authority and a number of joint discussions between officers and Members have attempted to find a resolution but without success. The Authority objected to Policy GT1 (4) Wharf Road as the proposed use does not comply with the Authority's statutory purpose or adopted proposals and it remains unconvinced that the Council's proposal to consolidate the privately owned plots to create a single site which would be 'self-managed with the Council's assistance' is viable or deliverable. There is also concern that retention of the site in this location could result in

further disturbance in light of the impact of the Cross Rail 2 scheme which at some point could require a new road bridge.

- 20 The Council's case rests on the fact that the Wharf Road site is becoming increasingly lawful and that therefore the establishment of a permanent site is the only practicable way forward. In their statement at the examination hearing on this matter the Council stated that if the policy remains in the Plan, "the Council is confident that the Authority would work with the Council to establish a permanent site. Were that not to be the case, the Council has indicated that compulsory purchase powers would be pursued to implement this policy." They also indicated that the fall-back position, should the policy fail, would be "to meet the current and on-going needs of the Wharf Road gypsies through certificates of lawfulness, planning permissions and caravan site licences on an ad hoc basis." The Council are of the view that as the plots are substantial they can accommodate new household growth over the Plan period.
- 21 The examination of this matter has not to date led to a change in the Council's policy to allocate Wharf Road as an authorised Gypsy and Traveller site and there has been no advice or direction from the Inspector that might be seen to help address the Authority's concerns. It should be noted however that in his Note of 20 December regarding the proposed Main Modifications (Ref: EXAM36 to be found here) the Inspector stated the following:

"Whilst I am reasonably satisfied at this stage that the proposed main modifications are necessary and would make the Plan sound, this is without prejudice to my final conclusions which will ultimately be made having regard to all representations made about the main modifications, in addition to all of the evidence and representations currently before me."

- 22 This provides scope for the Authority to make a further representation on this matter, and to reiterate its concerns about the deliverability of the traveller site at Wharf Road, to raise again the incompatibility of this policy with the Authority's statutory purpose and in respect of the adopted PDF Area Proposals 6.A.4.1 Wharf Road (adopted April 2019 post the examination process).

ENVIRONMENTAL IMPLICATIONS

- 23 There are no environmental implications arising directly from the Main Modifications to the Local Plan for Broxbourne, but once adopted it will contain policies that guide and control development and the use of land within the borough that could have an impact on the protection, enhancement, and development of the Regional Park.

FINANCIAL IMPLICATIONS

- 24 There are no financial implications arising directly from the recommendations in this report.

HUMAN RESOURCE IMPLICATIONS

- 25 There are no human resource implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 26 Planning applications referred to this Authority are submitted under the

consultative arrangements of Section 14 (4-7) of the Lee Valley Regional Park Act 1966 (the Park Act). The Park Act requires a local planning authority to consult with the Authority on any planning application for development, whether within the designated area of the Park or not, which might affect any part of the Park.

- 27 The Park Act enables the Authority to make representations to the local planning authority which they shall take into account when determining the planning application.

RISK MANAGEMENT IMPLICATIONS

- 28 There are no risk management implications arising directly from the recommendations in this report.

EQUALITY IMPLICATIONS

- 29 There are no equality implications arising directly from the recommendations in this report.

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BACKGROUND REPORTS

The Broxbourne Local Plan Main Modifications	Dec 2019
Habitats Regulations Assessment Addendum for the Broxbourne Local Plan	Dec 2019

PREVIOUS COMMITTEE REPORTS

Regeneration & Planning Committee	RP/16/18	Borough of Broxbourne Regulation 19 Local Plan Wharf Road	22 Feb 2018
Regeneration & Planning Committee	RP/09/17	Broxbourne Pre Submission Local Plan Regulation 19 Consultation Document	14 Dec 2017
Upper Lee Valley Regeneration & Planning Committee	ULV/113/16	Planning Consultation by the Borough of Broxbourne on Regulation 18 Draft Local Plan	22 Sept 2016
Upper Lee Valley Regeneration & Planning Committee	ULV/104/15	Planning Consultation by the Borough of Broxbourne on Duty to Cooperate Framework	17 Dec 2015
Upper Lee Valley Regeneration & Planning Committee	ULV/50/11	Consultation from Broxbourne Borough Council on a draft development brief for the site of Turnford Surfacing, Hoddesdon	24 Feb 2011

APPENDICES ATTACHED

- Appendix A** The Authority's draft response to Broxbourne Borough Council including Appendix Wharf Road Area proposal 6.A.4.1
- Appendix B** Plan showing the Park area within the borough of Broxbourne
- Appendix C** Extracts from draft 'tracked changes' Local Plan showing main modifications
- Appendix D** Extract from draft 'tracked changes' Local Plan showing plan area for former Leisure Pool site and Spitalbrook

LIST OF ABBREVIATIONS

PDF	Park Development Framework
SSSI	Site of Special Scientific Interest
SPA	Special Protection Area
the Park Act	Lee Valley Regional Park Act 1966



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19th February 2020

Dear Douglas

RE: CONSULTATION ON MAIN MODIFICATIONS TO THE DRAFT LOCAL PLAN DOCUMENT - LEE VALLEY REGIONAL PARK AUTHORITY REPRESENTATIONS

Thank you for consulting the Regional Park Authority on the Main Modifications to Broxbourne Council's Draft Local Plan. A draft Officer level response was forwarded to meet the deadline for response on the 19th February.

A report on this matter was considered by the Authority's Members at the Lee Valley Regeneration and Planning Committee on the 27 February 2020 when the following comments were agreed. These are focused on the degree to which the main modifications to the Plan have addressed those areas of concern raised during the examination process and the rounds of previous consultation and whether the Plan can be considered 'sound'.

Main Modifications MM13.2 and MM13.4

The Authority does not wish to make any further comments on matters relating to Policies LV3 Broxbourne Leisure Pool Site (MM13.2) and LV4 Spitalbrook (MM13.4). The Inspector was of the view that the policies would be likely to involve proposals for new buildings that would represent inappropriate development in the Green Belt, contrary to national Green Belt policy.

Given the arguments already explored during the examination process to justify the need for a policy reference to enabling development at the Leisure Pool site and Spitalbrook by both the Authority and the Council, it is considered unlikely that a further challenge to the Inspector's position regarding development within the green belt would be successful. It is noted that the Inspector required the Council to prepare main modifications to policies LV3 ("Broxbourne Leisure Pool Site") and LV4 ("Spitalbrook") to "ensure that they are consistent with national policy relating to development in the Green Belt and effective" (Action point 8).

The Authority does however welcome the opportunity for joint working on an Area Action Plan for the wider area around Broxbourne Station including the former Leisure Pool Site, and Spitalbrook in accordance with Policy BX2 Broxbourne Station and Environs. This will assist in the delivery of the Park Development Framework Area Proposals 6.A.4 'Broxbourne Gateway and Visitor Hub River Lee Country Park North' which include the former leisure pool site and Proposal 7.A.1 'Wetland Park West, Spitalbrook, Dobbs Weir and Admiral's Walk Lake', where proposals recognise the need to: *"Work with Broxbourne Council and other stakeholders to restore, manage and protect habitats at Spitalbrook as a site of special biodiversity interest with visitor access. This could be delivered through enabling development on the site linked with the opportunities which Crossrail2 could realise. Any enabling development to integrate with and secure investment in the parklands and respect the sites unique biodiversity."*

Gypsy and Traveller Sites Wharf Road

The Proposed Modifications to Policy GT2 Gypsy and Traveller Sites (MM 16.5 to 16.7) do not address the Authority's concerns in respect of the deliverability of the traveller site at Wharf Road. Although the Council proposes to remove the site from the Green Belt it remains within the Regional Park and as such, is incompatible with the Authority's statutory purpose and the adopted PDF Area Proposals 6.A.4.1 Wharf Road (adopted April 2019 post the examination process, and appended as Appendix A to this letter), which seek to undertake a series of environmental interventions and new pedestrian access routes to integrate the area into the River Lee Country Park (based on the Wharf Rd Environmental Strategy 2013).

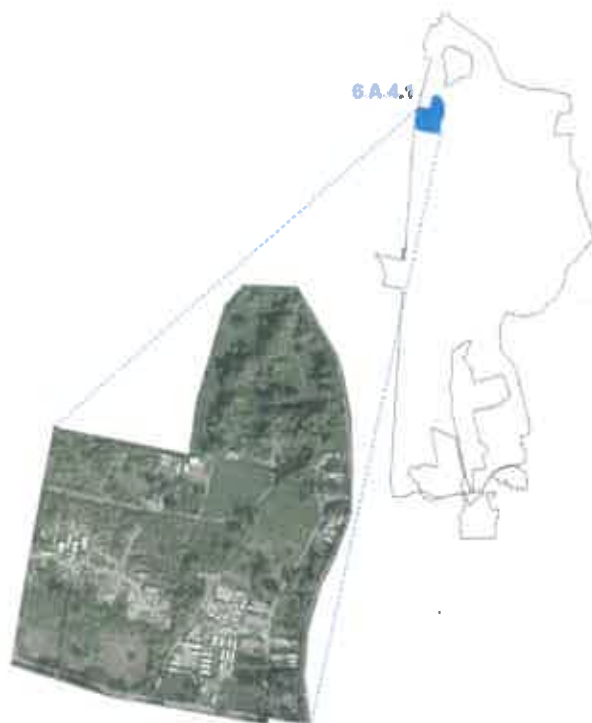
It also lies within Flood Zone 3a; in their examination hearing statement the Environment Agency clarified that this type of development, i.e. "use of caravans, mobile homes and park homes intended for permanent residential use" is classified as 'highly vulnerable' and that as stated in the NPPG (the flood risk vulnerability Table 3) "highly vulnerable development should not be permitted in flood zone 3a".

Whilst it has been acknowledged that the Council's draft policy represents a possible 'planned' way forward, that could also help to address flood risk issues, the Authority remains to be convinced that this is practical in terms of consolidating the plots within the one area, the ability of the Council to manage this process and the future maintenance of the site over the long term given the limited resources available and the fact that this process will depend on the co-operation commitment of many individuals within the Traveller community who are private landowners of the various plots of land and whose commitment for understandable personal reasons may change For these reasons the proposals remain 'unsound'.

Yours sincerely

Claire Martin
Policy Officer
Lee Valley Regional Park Authority

6.A.4.1 Wharf Road Inset



Visitors

Create a new pedestrian spine parallel with the Broxbourne Ditch corridor to provide a different pedestrian environment and relieve pressure on the Navigation towpath. Extend the existing path network by providing further new tracks and paths to form extra links and circuits including an additional path along the southern edge of Silvermeade Wildlife site.

Upgrade Wharf Road as an entrance and gateway point into the River Lee Country Park. Work with Broxbourne Council, Hertfordshire County and Network Rail to sign the Regional Park from the High Road and improve the environmental quality of the route along residential roads and Wharf Road into the Park at this point. Assess existing entrance signage and ensure appropriate site signage is provided that promotes both the River Lee Country Park and safe crossing of the railway.

Maintain and enhance the small car park and provide an illustrated information board along with additional signage for information, interpretation and orientation throughout the area.

Sport and Recreation

Protect and maintain the area as a tranquil space for informal recreation, walking and cycling forming part of the wider River Lee Country Park. Work with Broxbourne Council and landowners to increase the amount of space available for informal recreation, particularly in the southern half of the site.

Improve and extend the existing network of tracks and paths to create circular routes with links through to adjoining areas of the River Lee Country Park for walkers and cyclists.

Biodiversity

Extend the ecological qualities of Silvermeade to the north eastern part of the site and along the Broxbourne Ditch to encourage species such as Water Vole. Areas in the north west to be managed as grassland and scrub grassland matrix. To the south areas of species rich grassland to be planted and managed as meadows.

This will be achieved through the following initiatives:

- Investigate provision of new scrapes, shallow pools and marsh habitat creation to the north and south of Nut Tree Nursery to extend existing habitats in Silvermeade and provide visually accessible habitats adjacent to new paths. Arisings to be disposed of in selected locations on site to avoid any reduction in flood plain capacity. Contamination surveys and Phase 1 and Phase 2 Ecological surveys are also required.
- Along Broxbourne Ditch removal of selected trees and pollarding of ditchside willows to reduce excessive shading; removal of litter; desilting and possible easing of bank gradients in limited numbers of selected locations to create habitat suitable for Water Vole.
- Introduction of a scrub control programme for areas south-west of Silvermeade, and north of Wharf Road, to conserve potentially interesting grassland and reedbed habitat.
- Removal and control of Great Willowherb in the north west of the site and Himalayan Balsam in the north east.
- Undertake cyclical management of hedgerows on Wharf Road and on the Navigation, removal of inappropriate species and localised gapping up.

- Introduce meadow management on land west of Silvermeade and investigate feasibility of using cattle for grazing.

Promote the site as an access to nature area with opportunities to view species such as the Water Vole.

Landscape and Heritage

Landscape
Protect, enhance and manage the landscape as set out in the Landscape Strategy Guidelines for Character Area: A4 Kings Weir to Waltham Town Lock

Extend the positive landscape character of surrounding areas to the south and north into the site and strengthen existing landscape features including the Broxbourne ditch and the river edge.

Plant locally native wet woodland to extend and consolidate existing scattered tree clumps to provide enhanced screening to visually intrusive uses. Species should be mainly willow, alder and birch with some oak, with a focus on the creation of alder carr.

Thin and remove existing vegetation to improve inter-visibility of areas such as the Navigation and to remove the legacy of chalet plot development. The focus will be on the removal of inappropriate species (mainly surviving garden species from previous chalet development) and poor quality trees.

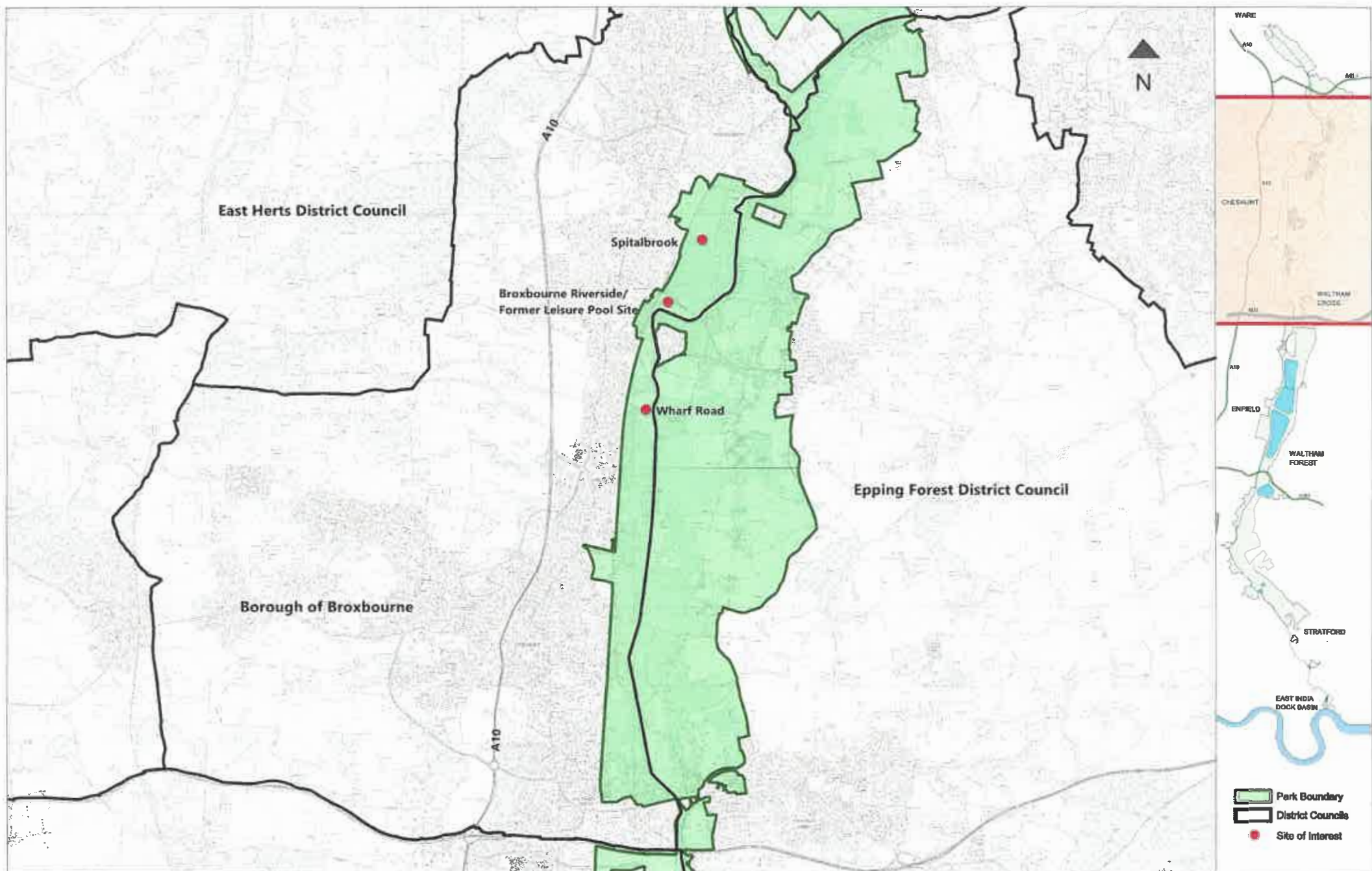
Environment

Work with Broxbourne Council and other stakeholders to develop a long term strategy of removing illegal, non-conforming and non Park compatible uses within the area, including through the use of planning enforcement action, and compulsory purchase if necessary.

Larger areas of non-conforming use may present issues of contamination and unsafe ground conditions unsuitable for public access. Given that remediation is likely to have significant costs it is suggested that these areas are assumed to be fenced to prevent public access, and to serve as a refuge area for wildlife.

Investigate demand for the medium term lease of land that presents issues of contamination or unsafe ground unsuitable for public access to be planted, managed and cropped for short rotation coppice. This could include areas of hazel coppice and/ or the cultivation of cricket bat willows.

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Extract from draft 'tracked changes' Local Plan showing main modifications in red font and red strikethrough

Broxbourne Leisure Pool Site and Spitalbrook

13.7 To the east of Broxbourne station on either side of the B194 Nazeing Road are two sites considered to have significant potential for improved leisure and recreation. To the south lies the site of the former Leisure Pool, which is now largely parkland but which contains the structures of the former leisure pool. To the north lies the largely inaccessible area of the Spitalbrook. The location of both sites is shown in the indicative plan below.

13.8 The Council and the Park Authority have previously collaborated to produce a development brief to enable the development of the former leisure pool site for recreational activities. ~~Since that time, very limited interest has been shown in taking forward development of the site. The brief had previously ruled out housing as an element of a new development. However, it is now consider that some residential development could be justified if it enabled the overall improvement of the Park in this location.~~

Policy LV3: Broxbourne Leisure Pool Site

The Council and the Park Authority will up-date the Broxbourne Leisure Pool Development Brief in the context of policy GB1 and national policy relating to development in the Green Belt. ~~to include the potential for residential development to the western end of the site to enable the wider development and improvement of the site and preservation of the existing parkland and natural areas.~~

13.9 The Spitalbrook area to the north of Nazeing Road in Broxbourne had been identified as the original site for the Lee Valley White Water Centre. However, this was abandoned because of contamination from historic landfill. The site now sits as a largely inaccessible area of un-reclaimed dereliction and scrubland. Spitalbrook has clear potential for regeneration and the creation of new wildlife habitat with limited expenditure on land reclamation.

Policy LV4: Spitalbrook

The Council will work with the Park Authority and the site owners to put in place a reclamation scheme for the Spitalbrook area to include the following:

- Environmental improvements including habitat restoration;
- Improved public access and connectivity including a network of foot and cycle paths; and
- Leisure and recreation facilities including a visitor hub.

~~The scale and nature of any development that would enable these objectives will inform the appropriate planning approach to the delivery of the proposed development plan.~~

Broxbourne Station and Environs

6.3 Broxbourne Station. (Grade II listed) is currently proposed to be the northern terminus of Crossrail 2. The Council will be working with Transport for London and Network Rail to plan out the infrastructure necessary to support this. It will also work with the Lee Valley Regional Park Authority to consider the development potential of the lands on the east side of the station within the Lee Valley Regional Park.

6.4 The Council and the Park Authority have previously collaborated to produce a development brief to enable the development of the former leisure pool site for recreational activities. Since that time, very limited interest has been shown in taking forward development of the site. The brief had previously ruled out housing as an element of a new development. However, it is now considered that some residential development could be justified if it enabled the overall improvement of the Park in this location.

6.5 The Spitalbrook area to the north of Nazeing Road had been identified as the original site for the Lee Valley White Water Centre. However, this was abandoned because of contamination from historic landfill. The site now sits as a largely inaccessible area of un-reclaimed dereliction and scrubland. Spitalbrook has clear potential for regeneration and the creation of new wildlife habitat with limited expenditure on land reclamation. The station, the former Leisure Pool site, and Spitalbrook, are all located together at an important Park Gateway (see section 13 policy LV5).

Policy BX2: Broxbourne Station and Environs

- I. The Council will support a long term development plan for produce an Area Action Plan to review options for the development and use of land at Broxbourne Station and environs in the context of Crossrail 2.
- II. Development proposals within this area should consider the potential to enhance the setting of the listed station building and conserve the adjoining Conservation Area as well as providing net biodiversity gains in accordance with policy NEB1.

Wildlife, Wildlife Sites and Biodiversity

Policy NEB2: Wildlife Sites

Internationally Designated Wildlife Sites

I Development at Cheshunt Lakeside should ensure that adverse impacts on the Lee Valley SPA, either alone or in-combination, are avoided and mitigated through the implementation of the mitigation strategy, in accordance with Policy CH1;

II. Where necessary, financial contributions towards the measures set out in any Epping Forest mitigation strategy for recreational impacts will be sought from residential developments within the Epping Forest ZOI in order to mitigate and avoid in-combination effects on the SAC;

III. Development proposals which may have an adverse impact on any internationally designated wildlife site, either alone or in-combination, must satisfy the requirements of the Conservation of Habitats and Species Regulations, determining site specific impacts and avoiding or mitigating against impacts identified.

~~Internationally and~~ Nationally Designated Wildlife sites

+ IV. Development which would harm the nature conservation or geological interest

of an ~~internationally or~~ nationally important wildlife site, as shown on the Policies Map, will not be permitted unless:

a) it is required in connection with the management or conservation of the site; or

(b) the development provides appropriate avoidance or mitigation measures and as a last resort compensation to offset any adverse impacts on the interest features of the site.

~~b) there are imperative reasons of overriding public interest for the development; and~~

c) there is no alternative to the development.

~~Compensation for the harm will be required.~~

Locally designated sites of wildlife value

4. V. Development on, or which negatively affects, a Local Wildlife Site or Local Nature Reserve, as shown on the Policies Map, will not be permitted unless:

(a) local development needs significantly outweigh the nature conservation value of the site; and

(b) the development provides appropriate avoidance or mitigation, and as a last resort compensation measures, to offset any detriment to the nature conservation interest on the site.

Wharf Road

13.9 Most of the identified need for 22 pitches (see above) relates to the previously unauthorised Wharf Road site. The extent of the allocation of this site addresses the needs of all the resident gypsy and traveller families over the Plan period – both within existing pitches and through the creation of new pitches. The accommodation needs of the more long standing Wharf Road travelling community are recognised by the Council. However, the situation at Wharf Road has become very complex with substantial sub-letting of caravans to individuals with no long term connection to the Borough. The Council is therefore seeking to work with the established community and the Lee Valley Regional Park Authority to create an authorised site at Wharf Road for that community. This will entail the relocation of the straggle of plots along the River Lee onto land currently owned by the Authority in the central area where most of the unauthorised plots are currently located. This will create a central integrated site that can then be authorised, licenced and properly serviced with roads, water, electricity and drainage. It will also entail the discontinuance of sub-letting.

13.10 These four sites have all been removed from the Green Belt in order to enable the effective implementation of Policy GT1 as set out below.

Policy GT1: Gypsy and Traveller Sites

The Council will work with the travelling communities to allocate sites as follows as shown on the Policies Map:

1. Expansion of Hertford Road ~~by 3 pitches where additional appropriate needs cannot be accommodated within the existing site boundaries;~~
2. Accommodation of **2** new pitches within the existing St James' Road site;
- ~~3. Relocation of Halfhide Lane to accommodate c. 20 pitches in total;~~
4. **3.** Authorised site at Wharf Road to accommodate ~~c. 20 pitches in total~~ the appropriate needs of the Wharf Road Community.

These sites are allocated for the specific needs of the resident travelling communities to which they relate and the future expansion of those communities through new household formation within those communities. They are not to meet the needs of extended family members not currently resident within the Borough of Broxbourne. The means for ensuring that these sites meet the immediate needs of those communities in perpetuity will be set out within planning permissions.

If demonstrated to be necessary in accordance with policy BR4, the Halfhide Lane Gypsy site will be relocated within Brookfield Garden Village to accommodate the appropriate needs of the Halfhide Lane gypsy community.

Main modifications in red. Minor/additional modifications in green.

Figure 14 Figure 15 Former Leisure Pool Site and Spitalbrook indicative concept Plan [REPLACEMENT]



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LEE VALLEY REGIONAL PARK AUTHORITY

**REGENERATION AND PLANNING
COMMITTEE**

27 FEBRUARY 2020 AT 12:00noon

Agenda Item No:

6

Report No:

RP/38/20

**PLANNING CONSULTATION BY
LONDON LEGACY DEVELOPMENT CORPORATION**

QUEEN ELIZABETH OLYMPIC PARK, STRATFORD, LONDON E20 2ST

**LEGACY COMMUNITIES SCHEME BIODIVERSITY ACTION PLAN
2019 – 2024 SUBMITTED PURSUANT TO SCHEDULE 10 OF THE
LEGACY COMMUNITIES SCHEME SECTION 106 AGREEMENT**

Presented by the Policy Officer

SUMMARY

The Authority has been consulted on the second Legacy Communities Scheme Biodiversity Action Plan 2019 – 2024. It sets out actions and targets to enable the effective enhancement and long term management of biodiversity across the Queen Elizabeth Olympic Park, including the Lee Valley Hockey and Tennis Centre and the Lee Valley VeloPark. This will support habitat creation, management and monitoring within the Regional Park elements of Queen Elizabeth Olympic Park, in accordance with the Lee Valley Regional Park Biodiversity Action Plan 2019 - 2029.

There are however discrepancies with the mapping of the Queen Elizabeth Olympic Park Biodiversity Action Plan Habitats in association with land forming part of the Lee Valley Hockey and Tennis Centre and at the Lee Valley VeloPark. These are highlighted in the report and amendments sought as part of the Authority's consultation response.

RECOMMENDATIONS

- Members Approve:
- (1) that the London Legacy Development Corporation be informed that the Authority is supportive of the Legacy Communities Scheme Biodiversity Action Plan 2019 – 2024 and the basis this provides together with the Lee Valley Regional Park Biodiversity Action Plan for joint working to enhance biodiversity across the Queen Elizabeth Olympic Park; and
 - (2) that clarification and amendments to the habitat

mapping are sought as outlined below to ensure the Legacy Communities Scheme Biodiversity Action Plan 2019 – 2024 aligns with the existing habitat present within the Regional Park and the Authority's associated land management regime:

- a) Area 1 'Development Platform' Lee Valley Hockey and Tennis Centre – this development platform should be removed from the brownfield habitat type and re-designated as white land or temporary landscape as with other areas for development;
- b) Area 2 Land to the east of the Lee Valley Hockey and Tennis Centre – this area should be changed to species rich grassland to match current management of the area;
- c) Area 3 Lee Valley Hockey and Tennis Centre – the designation for this site should be changed from brownfield habitat to species rich grassland;
- d) Area 4 and 5 Lee Valley Hockey and Tennis Centre – the hedgerows in the car park should be identified as part of the Biodiversity Action Plan habitat as should the biodiverse roof on the Lee Valley Hockey and Tennis Centre building and on the compound (in area 2);
- e) Area 6 Boundaries on eastern side of Lee Valley Hockey and Tennis Centre - whilst some areas have become scrub and woodland the brownfield habitat within this area should be noted;
- f) Area 7 Lee Valley VeloPark - clarification is required as to why small sections are shown as 'Park Squares and Amenity Space' habitat.

BACKGROUND

- 1 The Authority has been consulted on the Legacy Communities Scheme Biodiversity Action Plan (BAP) for the period covering 2019 to 2024. This is submitted pursuant to clauses 1.1.1-1.2.3 of the Unilateral Undertakings entered into by the London Legacy Development Corporation (LLDC) (as applicant) and the LLDC Planning Policy and Decisions Team (as the local planning authority) on 25 July 2019, which sits with the varied Legacy Communities Scheme planning permission (11/90621/OUTODA, as varied by 14/00036/VAR, 17/00236/VAR and 18/00471/VAR).
- 2 The BAP obligations relate to the entire Queen Elizabeth Olympic Park (Olympic Park) situated in Stratford, east London, including the Lee Valley Hockey and

Tennis Centre and the Lee Valley VeloPark. Please refer to the Plan at Appendix A to this report. Hackney Marshes lie to the northwest while the residential areas of Leyton, Stratford, Bow and Hackney surround the outskirts of the Olympic Park.

This is the second BAP for the Olympic Park. Once finalised it will complete a ten-year BAP for the Olympic Park.

- 3 The Authority responded to the consultation for the first BAP 2014-2019 (approved in October 2013 (13/00391/106)), and welcomed its production as a means of helping to ensure that the interests of biodiversity were fully taken into account in the management of the Olympic Park. Concern at that time was expressed in relation to including allotment habitat at Eton Manor but this is no longer relevant as the allotment site is outside the Regional Park boundary.
- 4 Biodiversity proposals covering 'Fauna and Flora' and 'Access to Nature' are a core part of the Authority's detailed Park Development Framework (PDF) Area Proposals, including those for Area 1 'Tidal Reaches to Queen Elizabeth Olympic Park – East India Dock Basin to Queen Elizabeth Olympic Park'. More recently in 2019, following a period of review and stakeholder consultation the Authority produced its second BAP – the 'Lee Valley Regional Park Biodiversity Action Plan 2019 to 2029'. The LLDC and other London Boroughs were amongst the stakeholder consultees involved in this process.

THE BIODIVERSITY ACTION PLAN

- 5 The Olympic Park BAP aims to build on all the conservation work undertaken to date setting the direction for long term habitat management to maintain and enhance biodiversity across the Olympic Park. Amongst the requirements that the BAP places on the LLDC are the need to:
 - meet a site-wide habitat quantum across the Park;
 - provide a guide to nature conservation measures and biodiversity objectives for those involved in the management and maintenance of the Park;
 - outlines action required to establish and conserve species and habitats of conservation concern in the Park;
 - sets out a detailed maintenance and management regime for the BAP habitat in the Park;
 - provides opportunities for local people to get involved in nature conservation work and biodiversity-related activities.
- 6 The biodiversity visions for the Olympic Park outline long-term aspirations for the Park and create the foundations for many of the BAP community actions. These are reproduced below from the latest BAP document as per Table 2:

Table 2: Biodiversity visions for Queen Elizabeth Olympic Park:

Nature designation	For the quality of biodiversity in the Park to meet criteria for designation as a Site of Metropolitan Importance for Nature Conservation by 2024.
Landscape function and connectivity	For the Park to provide a functional green corridor, facilitating the movement of species through the Lee Valley.

Innovation	To be an exemplar in the delivery and management of wildlife-rich habitats within a high profile urban park.
Climate change adaptation	To manage ecological features within the Park to help protect local communities from the impacts of climate change.
Delivering social benefits	To ensure that biodiversity contributes to social wellbeing and economic welfare, and develops the links between nature and wellbeing. Develop further on the Park's successful volunteer programme, and incorporate additional biodiversity activities into the programme wherever possible.
Reducing environmental pressures	Use the lessons learnt during the last 5 years to contribute towards the management of environmental pressures including pests, diseases and invasive species.
Raising the profile of biodiversity	Engage people with biodiversity and conservation, and encourage a care for the natural world that extends beyond the Park's boundaries.

- 7 There are ten habitat types on Olympic Park which sit under four categories:
 - Wetlands - these habitat types include reed beds, ponds, and rivers;
 - Grasslands - species-rich grassland;
 - Woodland - trees and scrub, wet woodlands;
 - Built Environment - habitats include, brownfield, built environment, parks, squares and amenity space and allotments.
- 8 Appendix 3 to the BAP includes a Biodiversity Habitat Map (which is attached as Appendix A to this report and is available on the LLDC planning website under reference 20/00015/106 <https://www.queenelizabetholympicpark.co.uk/planning-authority>). This shows the amount of each of the ten BAP habitat types that has already been provided and that a total of 48.97 hectares have been created on the Olympic Park to date. The quantum target originally stated in Schedule 10 was set at a minimum of 49.1 hectares although this has since been varied to a total site-wide BAP target of 48.14 hectares.
- 9 It is anticipated that further habitat will be created as the Legacy Communities Scheme is delivered, therefore the habitat quantities will need to be updated and revised at a later date. For example, currently the Habitat Map includes an area of temporary landscape which will be removed eventually and it also identifies a balance of 7.86 hectares which will be provided as part of the Legacy Communities Scheme UCL East and Stratford Waterfront permissions. Once this future provision is added to the existing permanent provision (and the temporary removed) this will provide 56.83 hectares of BAP habitat.
- 10 Actions are identified for each habitat type along with targets and outcomes. In a similar vein the BAP includes Species Action Plans for 10 species of breeding birds, 3 native species of amphibians, 3 native species of reptiles, invertebrates, bats, water vole, otter and Non Native Invasive Species. To encourage community engagement and contribute to social cohesion a BAP Community Plan has also been included.

APPRAISAL

- 11 The BAP 2019 - 2024 will enable the effective enhancement, management and maintenance of meaningful biodiversity habitat within the Olympic Park to continue and enable the conservation of species and habitats of conservation concern within the Olympic Park. It also includes important principles to assist with habitat management and identifies opportunities for people to get involved in nature conservation work and biodiversity-related activity. The long term aspiration for the Olympic Park to meet criteria for designation as a Site of Metropolitan Importance for Nature Conservation by 2024 is supported.
- 12 A general reference to the Lee Valley Regional Park BAP is now included in the Olympic Park BAP and there is support for joint working with the Authority and the Host Boroughs in the implementation of their BAPs and to align conservation efforts. This is welcomed as there are many overlaps between the species and habitat action plans set out within the two documents. The Authority's actions in relation to habitat management, volunteer projects and monitoring within the Regional Park elements of Olympic Park will contribute to the Olympic Park BAP targets and outcomes and vice versa with the Authority's BAP. A formal referencing of the Authority's BAP and its time frame would be useful perhaps with a web link - [LVRP/enhancing-the-valley/biodiversity-action-plan-2019](https://www.lvrp.org.uk/enhancing-the-valley/biodiversity-action-plan-2019).
- 13 The inclusion of invasive non-native species (INNS) in the BAP should be supported. This aligns with the Lee Valley Regional Park BAP, and a cross-boundary approach to the management of INNS will undoubtedly see the best results in tackling this issue.
- 14 The Biodiversity Habitat Map at Appendix 3 of the BAP does however include a number of mapping discrepancies which are of concern. These are outlined below and relate to the 'Areas' identified on the map extract at Appendix B to this report.
- 15 **Area 1 'Development Platform' Lee Valley Hockey and Tennis Centre**
This area was excluded from the previous BAP 2014-2019 document but is now shown as brownfield habitat. This land parcel has always been identified as a development platform and the Authority is currently working with a developer to bring forward the provision of a hotel on this area of land with associated gym and catering facility. This area should be excluded and shown as 'white land' or represented as a 'temporary landscape' as with other areas for development.

The LLDC revised Local Plan Publication Draft (now at the post examination Main Modification stage) under changes to Sub area 2 – North Stratford and Eton Manor, recognises the Lee Valley Hockey and Tennis Centre and the Lee Valley VeloPark as *"important national leisure and sporting venues hosting local, national and international events"* helping to deliver sporting legacy for local communities. Supporting text states that the Legacy Corporation will *"support the Park Authority as it seeks to improve and grow the offer associated with the venues and thereby ensure their long term sustainability. This includes the further development of the land and facilities associated with the Hockey and Tennis Centre at Eton Manor which can complement the rest of the Queen Elizabeth Olympic Park"*.

This change in allocation will require some recalculation of figures of BAP habitat across the document.

Area 2 Land to the east of the Lee Valley Hockey and Tennis Centre

The designation of this site as brownfield habitat should be queried. Originally allocated as an area for allotments the land use was formally changed and the subsequent transformation of the site, funded by the Authority, LLDC and the London Borough of Waltham Forest included the planting of the species rich grassland which is present today. This space is also used by the Authority for events.

Area 3 Lee Valley Hockey and Tennis Centre

This area is managed as species rich grassland with a boundary hedgerow, so the designation of this site as brownfield habitat will need to be corrected.

Area 4 Lee Valley Hockey and Tennis Centre car park

The hedgerows in the car park have not been recorded, they were shown in the 2013 BAP document.

Area 5 Lee Valley Hockey and Tennis Centre and compound

The biodiverse roof on the Hockey and Tennis Centre building and on the compound (in area 2) have not been recorded.

Area 6 Boundaries on eastern side of Lee Valley Hockey and Tennis Centre and compound

The designation on this site shows it as 'Trees and Scrub' habitat type. Whilst some areas have become scrub and woodland there are still important brownfield habitat present.

Area 7 Lee Valley VeloPark

Small sections are shown as 'Park Squares and Amenity Space' habitat, the reason for this designation needs clarification.

16 Conclusion

The Biodiversity Habitat Map was not available to officers when they were originally consulted on the draft BAP in 2019. The above matters have been raised informally with officers from the LLDC but it is recommended that the above concerns are submitted as the Authority's formal response to the BAP consultation. Members will be updated on any response received from LLDC on these points at committee.

ENVIRONMENTAL IMPLICATIONS

- 17 There are no environmental implication as a result of this report, but the Olympic Park BAP once adopted will be relevant to habitat management and enhancement within the Regional Park in association with the Lee Valley Regional Park BAP.

FINANCIAL IMPLICATIONS

- 18 There are no financial implications arising directly from the recommendations in this report.

LEGAL IMPLICATIONS

- 19 Planning applications referred to this Authority are submitted under the consultative arrangements of Section 14 (4-7) of the Lee Valley Regional Park

Act 1966 (the Park Act). The Park Act requires a local planning authority to consult with the Authority on any planning application for development, whether within the designated area of the Park or not, which might affect any part of the Park.

- 20 The Park Act enables the Authority to make representations to the local planning authority which they shall take into account when determining the planning application.

RISK MANAGEMENT IMPLICATIONS

- 21 There are no risk management implications arising directly from the recommendations in this report.

EQUALITY IMPLICATIONS

- 22 There are no equality implications arising directly from the recommendations in this report.

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BACKGROUND REPORTS

The Legacy Communities Scheme Biodiversity Action Plan 2019 – 2024 Jan 2020

APPENDICES ATTACHED

Appendix A	Appendix 3 to the BAP - Biodiversity Habitat Map
Appendix B	Extract from Biodiversity Habitat Map showing Areas with mapping discrepancies.

LIST OF ABBREVIATIONS

Olympic Park	Queen Elizabeth Olympic Park
PDF	Park Development Framework
BAP	Biodiversity Action Plan
LLDC	London Legacy Development Corporation
the Park Act	Lee Valley Regional Park Act 1966
INNS	Invasive Non-Native Species

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Map Extract showing Areas with mapping discrepancies

